

## COURT COSTS AND FEES CHART

The costs listed below are effective **July 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g), as enacted by House Bill 22, § 63.(b). Costs in other legislation that take effect after July 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees are shaded and in **blue**. The relevant legislation for each new or amended cost item is cited in brackets. Line items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

An additional, summary chart of criminal costs has been attached to this cost chart as the “Criminal Costs Summary Appendix.” The appendix summarizes the basic costs common to all dispositions in a particular trial division. It does **not** include additional cost items that must be assessed depending on individual factors for each case (e.g., FTA fees, supervision fees, jail fees, etc.), nor does it apply to offenses for which the relevant statute assesses specific costs or prohibits the imposition of costs.

<b>CRIMINAL COURT COSTS</b> G.S. 7A-304, unless otherwise specified		<b>AMOUNT</b>
<b>DISTRICT COURT</b> (including criminal cases before magistrates)		
<ul style="list-style-type: none"> <li>• General Court of Justice Fee. [§ 31.23.(a)]</li> </ul>	General Fund	127.05
	State Bar Legal Aid Account (LAA)	2.45 <sup>1</sup>
		<b>129.50</b>
<ul style="list-style-type: none"> <li>• Facilities Fee.</li> </ul>		12.00
<ul style="list-style-type: none"> <li>• Phone Systems Fee.</li> </ul>		4.00
<ul style="list-style-type: none"> <li>• LEO Retirement/Insurance.</li> </ul>		7.50
<ul style="list-style-type: none"> <li>• LEO Training and Certification Fee.</li> </ul>		2.00
<b>TOTAL</b>		<b>155.00</b>
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).		+10.00 <sup>2</sup>
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).		+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.		+5.00
<b>SUPERIOR COURT</b>		
<ul style="list-style-type: none"> <li>• General Court of Justice Fee. [§ 31.23.(a)]</li> </ul>	General Fund	152.05
	State Bar Legal Aid Account (LAA)	2.45 <sup>1</sup>
		<b>154.50</b>
<ul style="list-style-type: none"> <li>• Facilities Fee.</li> </ul>		30.00
<ul style="list-style-type: none"> <li>• Phone Systems Fee.</li> </ul>		4.00
<ul style="list-style-type: none"> <li>• LEO Retirement/Insurance.</li> </ul>		7.50
<ul style="list-style-type: none"> <li>• LEO Training and Certification Fee.</li> </ul>		2.00
<b>TOTAL</b>		<b>198.00</b> <sup>3</sup>
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).		+10.00 <sup>2</sup>
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).		+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.		+5.00

<sup>1</sup> The portion of the General Court of Justice (GCJF) fee allocated to the State Bar's Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar's Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. The \$0.95 designated for the Bar's Domestic Violence Victim Assistance fund, G.S. 7A-474.19, is unchanged. Therefore the Bar's portion of the criminal GCJF is now a total of \$2.45. The remainder of the GCJF is remitted to the General Fund. The NCAOC's Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

<sup>2</sup> The additional Chapter 20 fee does not apply if the offense in question carries specified costs (e.g., front seat belt offenses, G.S. 20-135.2A(e)) or is exempt from court costs altogether (e.g., failure to burn headlights when windshield wipers are on, G.S. 20-129(a)(4)).

<sup>3</sup> When a person convicted of a felony in Superior Court has made a first appearance in District Court, all Superior Court costs plus the District Court General Court of Justice fee shall be assessed. G.S. 7A-304(a)(4).

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OTHER CRIMINAL FEES	AMOUNT
Appointment of Counsel Fee for Indigent Defendants. G.S. 7A-455.1. <sup>4</sup>	60.00
Civil Revocation Fee. G.S. 20-16.5(j).	100.00
Community Service Fee. G.S. 15A-1371 and G.S. 143B-262.4.	250.00
Continuous Alcohol Monitoring Fee. G.S. 15A-1374 and G.S. 20-179. <sup>5</sup>	Up to 1,000.00
Criminal Record Check Fee. G.S. 7A-308(a)(17).	25.00
Dispute Resolution Fee. G.S. 7A-38.3D and G.S. 7A-38.7. <sup>6</sup> [§ 31.24.(d).]	60.00 per mediation
Expunction Fee. G.S. 15A-145. <sup>7</sup>	125.00
Expunction Fee. G.S. 15A-145.2. <sup>8</sup>	65.00
Failure to Appear Fee. G.S. 7A-304(a)(6). <sup>9</sup>	200.00
Failure to Comply Fee. G.S. 7A-304(a)(6). <sup>10</sup>	50.00
House Arrest with Electronic Monitoring Fee (as a condition of probation). G.S. 15A-1343.	90.00
Installment Payments Fee. G.S. 7A-304(f). <sup>11</sup>	20.00
Jail Fees (pre-conviction). G.S. 7A-313.	5.00 per 24 hours or fraction thereof
Jail Fees (split sentence served in local facility). G.S. 7A-313 and G.S. 148-29.	40.00 per day
Limited Driving Privilege Fee – Petitions under G.S. 20-20.1. <div style="text-align: right;">At Petition/Application: If Issued: (G.S. 20-20.2)</div>	CVD Costs 100.00 (in addition to CVD costs)
Limited Driving Privilege Fee – Other than under G.S. 20-20.1. <u>Note:</u> If there is no underlying conviction in the county, charge civil filing fees as explained on form AOC-CV-350.	If Issued: (G.S. 20-20.2) 100.00
Pretrial Release Service Fee (county). G.S. 7A-304(a)(5). <sup>12</sup>	15.00
Satellite-Based Monitoring Fee for Sex Offenders. G.S. 14-208.45.	90.00
SBI Lab Fee. G.S. 7A-304(a)(7).	600.00
Local Government Lab Fee. G.S. 7A-304(a)(8).	600.00

<sup>4</sup> This fee is due only if the defendant has been convicted. Of the total fee, \$55.00 is credited to the Indigent Persons’ Attorney Fee Fund, and \$5.00 is credited to the Court Information Technology Fund.

<sup>5</sup> This fee is remitted to the system vendor.

<sup>6</sup> This fee applies to cases resolved through community mediation. S.L. 2011-145 does not change the amount of the fee. Rather, it amends G.S. 7A-38.7 to provide that the fee is to be remitted to the “Mediation Network of North Carolina,” rather than to the State Treasurer. FMS will be updated to specify the new payee on the account for this fee (24315) when producing checks.

<sup>7</sup> This fee does not apply to a person who files an expunction petition as an indigent. It also does not apply to petitions for expunction under G.S. 15A-146, 15A-147, 15A-148, or 15A-149.

<sup>8</sup> This fee does not apply to a person who files an expunction petition as an indigent. It also does not apply to petitions for expunction under G.S. 15A-145.3.

<sup>9</sup> This fee applies to a failure to appear after 20 days in any criminal or infraction case, not just motor vehicle cases.

<sup>10</sup> This fee applies to a failure to comply after 20 days in any criminal or infraction case, not just motor vehicle cases.

<sup>11</sup> Unless otherwise ordered by the court, this fee must be assessed when a defendant with monetary obligations in a criminal judgment does not make payment in full on the date costs are assessed.

<sup>12</sup> The pretrial release services fee of G.S. 7A-304(a)(5) may be assessed upon conviction and remitted to a county providing pretrial release services, if the defendant was accepted and released to the supervision of a county agency. This fee is separate from and in addition to any fees assessed directly by the county under G.S. 7A-313.1 when the defendant has received pretrial electronic monitoring by a county agency. S.L. 2011-378. If the defendant has been accepted and released to the supervision of a county agency that provides pretrial services that include electronic monitoring, the court should assess and receipt **only** the \$15.00 pretrial services fee upon conviction. Any fees assessed for electronic monitoring under G.S. 7A-313.1 must be paid directly to the county by the defendant.

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<b>OTHER CRIMINAL FEES</b>	<b>AMOUNT</b>
Seat Belt Violations (adult, front seat) and Motorcycle/Moped Helmet Violations. <sup>13</sup> G.S. 20-135.2A and G.S. 20-140.4.	25.50 fine +costs below:
General Court of Justice Fee, G.S. 7A-304(a)(4)	<b>129.50 (Dist.)</b> <b>154.50 (Sup.)</b>
Phone Systems Fee, G.S. 7A-304(a)(2a)	4.00
LEO Training and Certification Fee, G.S. 7A-304(a)(3b)	2.00
<b>TOTAL</b>	<b>161.00 (Dist.)</b> <b>186.00 (Sup.)</b>
Seat Belt Violations (adult, rear seat). G.S. 20-135.2A(e).	No Costs 10.00 fine only
Supervision Fee. G.S. 15A-1343, G.S. 15A-1368.4, and G.S. 15A-1374.	40.00 per month
Worthless Check Program Fee. G.S. 7A-308(c). <sup>14</sup> <a href="#">[§ 31.24.(a)]</a>	60.00

<sup>13</sup> Note that the bill of costs (AOC-CR-381) does not have a pre-printed entry for the costs applicable to offenses for adult front-seat seat belt violations and motorcycle/moped helmet and occupancy violations. Clerks should assess the three costs identified individually on the bill of costs. These three cost items are the **only** costs to be assessed for these offenses. **Do not** assess any of the other costs under G.S. 7A-304(a). However, pursuant to G.S. 7A-304(b), the three costs are cumulative on appeal. *E.g.*, a defendant found responsible for a motorcycle helmet violation in Superior Court after appeal from the District Court would pay a fine of \$25.50 plus \$296.00 in costs: both General Court of Justice fees, plus two assessments (one for District Court and one for Superior Court) of both the Phone Systems Fee and the LEO Training and Certification Fee.

<sup>14</sup> For districts that still operate a worthless check program, the clerk should continue to receipt the worthless check program fee of G.S. 7A-308(c) and remit it to the State. The amount of the fee remains \$60.00. In addition, G.S. 14-107.2 has been amended, effective July 1, 2011, to allow a community mediation center to assist the NCAOC and district attorneys by establishing a worthless check program in districts where such programs have not been established and to charge for its services as part of such a program. However, the fees for such services are not set by statute, and are **not** to be receipted by the clerk. The center must assess its fees directly for users of its services in these cases. Further, the clerk should not assess the criminal mediation fee of G.S. 7A-38.7 when a community mediation center mediates a worthless check matter in the context of a pre-prosecution worthless check program. The clerk may receipt and disburse only the statutory program fee of G.S. 7A-308(c) and restitution to the check taker for the amount of the check plus any service charges and processing fees incurred or charged by the check taker.

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**Appendix - Criminal Costs Summary  
Effective July 1, 2011**

<b>Category<sup>15</sup></b>	<b>Total Amount</b>	<b>Amounts</b>	<b>Amount Descriptions</b>
District Court Infraction (IFC/IF_)	<b>160.00</b>	129.50 12.00 4.00 7.50 2.00 5.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service
District Court Infraction Chapter 20 Offense (IFTC/IFT_)	<b>170.00</b>	129.50 12.00 4.00 7.50 2.00 5.00 10.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service Chapter 20
District Court Misdemeanor (CRDC/CRD_)	<b>162.00</b>	129.50 12.00 4.00 7.50 2.00 5.00 2.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service DNA
District Court Misdemeanor Chapter 20 Offense (CRTC/CRT_)	<b>172.00</b>	129.50 12.00 4.00 7.50 2.00 5.00 2.00 10.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service DNA Chapter 20
Superior Court <u>without</u> First Appearance in District Court (CRSC/CRS_)	<b>205.00</b>	154.50 30.00 4.00 7.50 2.00 5.00 2.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service DNA
Superior Court <u>without</u> First Appearance in District Court Chapter 20 Offense	<b>215.00</b>	154.50 30.00 4.00 7.50 2.00 5.00 2.00 10.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service DNA Chapter 20
Superior Court <u>with</u> First Appearance in District Court (CRDS)	<b>334.50</b>	154.50 129.50 30.00 4.00 7.50 2.00 5.00 2.00	General Court of Justice (Sup) General Court of Justice (Dist) Facilities Telephone LEO Retirement LEO Training Service DNA
Superior Court <u>with</u> First Appearance in District Court Chapter 20 Offense	<b>344.50</b>	154.50 129.50 30.00 4.00 7.50 2.00 5.00 2.00 10.00	General Court of Justice (Sup) General Court of Justice (Dist) Facilities Telephone LEO Retirement LEO Training Service DNA Chapter 20

<sup>15</sup> Note that these totals do not apply to offenses for which specific court costs are assessed, such as adult front seat belt offenses, G.S. 20-135.2A, or offenses that do not bear court costs, such as failure to burn headlights with wipers on, G.S. 20-129(a)(4).

<b>Category</b>	<b>Total Amount</b>	<b>Amounts</b>	<b>Amount Descriptions</b>
Superior Court Infraction Appealed from District Court for Trial De Novo (IFDA)	<b>350.50</b>	129.50 12.00 4.00 7.50 2.00 5.00 154.50 30.00 4.00 2.00	General Court of Justice (Dist) Facilities (Dist) Telephone (Dist) LEO Retirement LEO Training (Dist) Service General Court of Justice (Sup) Facilities (Sup) Telephone (Sup) LEO Training (Sup)
Superior Court Infraction Appealed from District Court for Trial De Novo Chapter 20 Offense (IFTA)	<b>370.50</b>	129.50 12.00 4.00 7.50 2.00 5.00 10.00 154.50 30.00 4.00 2.00 10.00	General Court of Justice (Dist) Facilities (Dist) Telephone (Dist) LEO Retirement LEO Training (Dist) Service Chapter 20 (Dist) General Court of Justice (Sup) Facilities (Sup) Telephone (Sup) LEO Training (Sup) Chapter 20 (Sup)
Superior Court Misdemeanor Appealed from District Court for Trial De Novo (CRDA)	<b>354.50</b>	129.50 12.00 4.00 7.50 2.00 5.00 2.00 154.50 30.00 4.00 2.00 2.00	General Court of Justice (Dist) Facilities (Dist) Telephone (Dist) LEO Retirement LEO Training (Dist) Service DNA (Dist) General Court of Justice (Sup) Facilities (Sup) Telephone (Sup) LEO Training (Sup) DNA (Sup)
Superior Court Misdemeanor Appealed from District Court for Trial De Novo Chapter 20 Offense (CRTA)	<b>374.50</b>	129.50 12.00 4.00 7.50 2.00 5.00 2.00 10.00 154.50 30.00 4.00 2.00 2.00 10.00	General Court of Justice (Dist) Facilities (Dist) Telephone (Dist) LEO Retirement LEO Training (Dist) Service DNA (Dist) Chapter 20 (Dist) General Court of Justice (Sup) Facilities (Sup) Telephone (Sup) LEO Training (Sup) DNA (Sup) Chapter 20 (Sup)

